



**U.S. DEPARTMENT OF TRANSPORTATION**

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

January 13, 2006

IN REPLY REFER TO

**HDA-CA**

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Mr. Will Kempton, Director  
California Department of Transportation  
1120 N Street  
Sacramento, CA 95814

Attention: Federal Resources Office, Room 3500  
For Ross Chittenden, Division of Transportation Programming

Dear Mr. Kempton:

**SUBJECT: Procedures for Federal Statewide Transportation Program (FSTIP) Modifications**

Over the past year, Caltrans, the Federal Highway Administration (FHWA), the Federal Transit Administration FTA, and the Metropolitan Planning Organizations (MPOs) have worked together to clarify when it is necessary to process a formal FSTIP/TIP amendment versus a minor modification to the FSTIP/TIP that could be processed administratively.

At Caltrans request, FHWA and FTA are providing the enclosed information on procedures for FSTIP/TIP modifications. This information does not reflect significant changes to the process, but is more to clarify the process/procedures.

If you have any questions regarding the enclosed procedures, please contact Ray Sukys, Federal Transit Administration at (415) 744-2803, e-mail: [Raymond.Sukys@fta.dot.gov](mailto:Raymond.Sukys@fta.dot.gov) or K. Sue Kiser, Federal Highway Administration at (916) 498-5009, e-mail: [Sue.Kiser@fhwa.dot.gov](mailto:Sue.Kiser@fhwa.dot.gov).

Sincerely,

*/s/ Leslie Rogers*

Leslie Rogers  
Regional Administrator  
Federal Transit Administration, Region IX

*/s/ K. Sue Kiser*

for  
Gene K. Fong  
Division Administrator  
Federal Highway Administration

Enclosure

cc: (electronically)  
All MPOs



## **PROCEDURES FOR FEDERAL STATEWIDE TRANSPORTATION PROGRAM (FSTIP) MODIFICATIONS**

The following procedures are applicable for processing modifications to the Federal Statewide Transportation Improvement Program (FSTIP). In accordance with the provisions of 23 CFR 450, transportation improvement programs (TIPs) developed by Metropolitan Planning Organizations (MPOs) are incorporated into the FSTIP and as such, these procedures are also applicable to TIP modifications.

In accordance with 23 CFR 450.216(c), projects in any of the first three years of the FSTIP may be moved to any other of the first three years of the FSTIP subject to the project selection requirements of 23 CFR 450.222. Such modifications do not require approval, provided expedited project selection procedures have been adopted in accordance with 23 CFR 450.332 and the required interagency consultation or coordination is accomplished and documented.

### **1) DEFINITIONS:**

**A) Administrative Actions** or administrative amendments are minor changes to the FSTIP/ TIP that:

1. Revise a project description without changing the project scope or conflicting with the environmental document;
2. Revise the funding amount listed for a project's phases. Additional funding is limited to the **lesser of** 20 percent of the project cost or \$2 million;
3. Change the source of funds;
4. Change a project lead agency;
5. Splits or combines individually listed projects; as long as cost, schedule, and scope remain unchanged;
6. Changes required information for grouped project (lump sum) listings; or,
7. Adding or deleting projects from grouped project (lump sum) listings as long as the funding amounts stay within the guidelines in number two above.

Administrative amendments can be processed in accordance with these procedures provided that:

1. It does not affect the air quality conformity determination, including timely implementation of Transportation Control Measures (TCMs), **and**
2. It does not impact financial constraint.

**B) Amendments** or formal amendments are all other modifications to FSTIP/TIP that are not Administrative Actions.

## **2) PROCEDURES:**

### **A) Administrative Actions** (Administrative Amendments)

Each MPO-approved administrative action will be forwarded to Caltrans Headquarters, Division of Transportation Programming for approval on behalf of the Governor. The MPO Board may delegate approval of Administrative Actions to the MPO's Executive Director. If the MPO Board delegates approval of Administrative Actions to the Executive Director, the MPO will need to provide copies of the delegation to Caltrans, FHWA, and FTA.

Once approved by Caltrans, on behalf of the Governor, the Administrative Action will be incorporated into California's FSTIP and no Federal action will be required. Caltrans will notify the MPO, FHWA, and FTA of the approved administrative action.

### **B) Amendments** (Formal Amendments)

Amendments to the FSTIP must be developed in accordance with the provisions of 23 CFR 450.326 and/or 23 CFR 450.216, and approved by the Federal agencies in accordance with 23 CFR 450.220. Each approved MPO TIP amendment will be forwarded to Caltrans Headquarters, Division of Transportation Programming for approval on behalf of the Governor. (To expedite processing, the MPO will also forward a copy of the amendment to FHWA and FTA at the same time the amendment is sent to Caltrans) Once approved by Caltrans, on behalf of the Governor, Caltrans will forward the amendment to FHWA and FTA for Federal approval. Once approved by FHWA and FTA the amendment will be incorporated into California's FSTIP. The FHWA and FTA approval will be addressed to Caltrans, with copies to the MPO.

## **3) DISPUTE RESOLUTION**

If a question arises on the interpretation of the definition of an administrative action (amendment), Caltrans, the MPO, FHWA and FTA (the parties) will consult with each other to resolve the question. If after consultation, the parties disagree on the definition of what constitutes an administrative action (amendment), the final decision rests with the FTA for transit projects and FHWA for highway projects.